

Notice of Allowability

Application No.

09/401,740

Examiner

Callie E. Shosho

Applicant(s)

MALHOTRA, SHADI L.

Art Unit

1714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Board decision mailed 12/30/03 and telephonic interview conducted 5/6/04.
2. ☒ The allowed claim(s) is/are 1-20 and 23-37.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 5/6/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Callie E. Shosho
Primary Examiner
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Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

(1) Claim 18, line 5, after "modifier" and before ",", insert "which is a biphenyl compound, a fluorene compound, a phenanthrene compound, a pyrene compound, an adamantane compound, a dibenzo compound, a diphenyl phosphino compound, a phenylsulfonyl compound, or mixtures thereof".

(2) Claim 23, line 2, after "poly (α -methyl styrene)", delete "poly (vinyl toluene-co- α -methyl styrene)".

2. Authorization for this examiner's amendment was given in a telephone interview with Judith Byorick on 5/6/04.

Statement of Reasons for Allowance

3. Present claims 1-20 and 23-37 are deemed to be allowable for the reasons set forth in the Board decision mailed 12/30/03.

4. Upon updating the searches, a new reference came to the attention of the examiner, namely, Leyden et al. (U.S. 2002/0011693).

However, in light of the amendment to claims 18 and 23 (see paragraph 1 above), the present claims are allowable over this reference for the following reasons:

Leyden et al. disclose hot melt ink comprising vinyl toluene- α -methyl styrene copolymer, nonpolymeric aromatic viscosity modifier, i.e. phthalate plasticizer, and colorant. It is further disclosed that the inks are printed onto substrate using ink jet printer (paragraphs 29, 82, 256).

However, there is no disclosure or suggestion in Leyden et al. of terpene polymer as required in present claim 1, of viscosity modifier which is a biphenyl compound, a fluorene compound, a phenanthrene compound, a pyrene compound, an adamantane compound, a dibenzo compound, a diphenyl phosphino compound, a phenylsulfonyl compound, or mixtures thereof as is now required in present claims 18 and 34, or of hardening component which is poly (α -methyl styrene), poly (methyl styrene-co-indene) hydrogenated, poly (styrene-co-allyl alcohol), or mixture thereof as now required in present claim 23. Additionally, there is no disclosure in Leyden et al. that the ink exhibits acoustic-loss value of no more than about 100 decibels per millimeter as required in present claim 31, exhibits conductivity of no less than about 6 log(picomho/cm) as required in present claim 32, or exhibits haze value of no more than about

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25 as required in present claim 33. Further, there is no disclosure in Leyden et al. of specific viscosity modifier as required in present claim 35, ink vehicle as required in present claim 36, or dispersant as required in present claim 37.

In light of the above, it is clear that Leyden et al. neither disclose nor suggest the present invention.

Thus, present claims 1-20 and 23-37 are passed to issue.

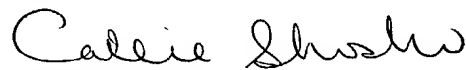
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Callie E. Shosho whose telephone number is 571-272-1123. The examiner can normally be reached on Monday-Friday (6:30-4:00) Alternate Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on 571-272-1119. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Callie E. Shosho
Primary Examiner
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CS
5/6/04